

SYN. NO. _____

AGN. NO. 91-B

MOTION BY SUPERVISORS ZEV YAROSLAVSKY AND
DON KNABE

JUNE 7, 2006

Heal the Bay has just released its annual "Beach Report Card" for 2005-06 showing serious water quality problems at many Los Angeles County beaches.

State law governs the monitoring of beach water quality and notification of the public when water quality falls below certain standards. Heal the Bay acknowledges that one of the reasons Los Angeles County posted such poor grades this year is that our county was one of the first in the state to modify its monitoring program to collect samples directly in front of flowing storm drains and creeks, as required by the Regional Water Quality Control Board's recently-adopted Santa Monica Bay beach bacteria Total Maximum Daily Load (TMDL) limit. Storm drain outfalls at heavily-used beaches are generally posted for "no swimming," and for that reason samples were previously collected at locations 50 yards away. The switch to TMDL monitoring locations directly in front of storm drains, without simultaneously continuing to test at the old locations, results in an inability to track beach water quality from year to year at those beaches. It has also created a serious question as to how the public should interpret water quality readings taken from directly in front of storm drain outlets where no one should be in the water.

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Also, under the TMDL program, additional sampling sites were added this year in front of storm drain outlets at smaller beaches, including some "private" beaches where public access is allowed only up to the mean high tide line. There is no posting requirement under State law (AB 411) for these less-used beaches; however, it is imperative that the County consider how to interpret this data and whether and how to notify the public that does use these beaches when water quality is poor.

The County's Department of Health Services maintains its own letter grade system for beach water quality, which can be found on its website at <http://lapublichealth.org/phcommon/public/eh/rechltth/ehrecocdata.cfm>. Both DHS and Heal the Bay base their grades on data collected by DHS and other public agencies, but DHS uses a different grading methodology than Heal the Bay and does not prepare an annual "report card" summarizing the information for all of our beaches over time. Additionally, the DHS web page does not display data for all of the beaches cited by Heal the Bay.

Beach water quality is a serious public health issue in Los Angeles County, affecting surfers, swimmers, ocean flora and fauna and the County's recreational and tourist economy. Beach health issues in Los Angeles County are within the purview of Environmental Health Division, a part of the public health function of DHS. This Board is considering separating public health from the remainder of the Department of Health Services. Establishment of a separate Department of Public Health will give us a tremendous opportunity to focus management attention on our Environmental Health Division and to ensure that it is proactively working to protect the health of the beach-going public.

Improving surface and beach water quality is an extremely difficult and expensive proposition in an urban area like Los Angeles. Beach water bacteria can originate from

many sources including soil, plants, and animal as well as human waste. The four beaches cited as California's "#1 Beach Bummers" are all located in Northern Santa Monica Bay where land development is minimal and the human population is small. Heal the Bay's report acknowledges the many projects County Public Works has recently undertaken to improve beach water quality including treatment plants, upgrades of runoff diversions and a state of the art infiltration pit. Last September, the Board unanimously approved my motion instructing County staff to prepare recommendations on how best to implement a stable and long-term regional funding mechanism that would finance the construction, operation and maintenance of local and regional projects for surface water quality improvements. Despite this progress, the Regional Water Quality Control Board has announced its intention to fine local governments throughout the region for exceeding a "zero" bacteria level at the beaches, beginning this July 15. The County must redouble its efforts to improve surface water quality as expeditiously as possible, and must simultaneously improve its monitoring and reporting system so that the public is always aware of water quality conditions at our Los Angeles County beaches.

WE, THEREFORE, MOVE that the Departments of Health Services, Public Works and Beaches & Harbors, under the leadership of the Director of Public Health, be instructed to report to this Board within 30 days with a report and recommendations for improving the evaluation and communication of beach health risk factors to the public. When formulating their recommendations the Departments should confer with other water quality testing agencies, the County Beach Commission, the County Beach Lifeguards, beach cities representatives and environmental groups including Heal the Bay. The Departments' report should include:

1. An explanation of the different “grading” methodologies used currently by the DHS Environmental Health Division, Heal the Bay, and any other organizations; with recommendations as needed to improve the public’s understanding of beach health risk factors and conditions;

2. A methodology for ensuring consistent testing and reporting of health risk factors at beaches where the monitoring point has been moved to comply with TMDL requirements, for example by monitoring at both the former and current test locations;

3. Recommendations on how to more effectively communicate to the public the necessity of avoiding storm drain and stream outlets at the beaches;

4. Recommendations on how to effectively and appropriately communicate health risk factors at little-used beaches not covered by AB 411 (the State law that requires publication of data on beaches used by 50,000 people a summer or more); including how to communicate such information to local cities, and to adjacent property owners where the “public” beach stops at the mean high tide line; and

5. Recommendations on how to utilize the resources of the Department of Public Health, should it be established, to better focus on and proactively seek to improve the health of the beach-going public; and

6. A report on the status of Public Work’s efforts to improve beach water quality through capital improvements, “best management practices” and public education programs, and on the status of efforts to develop and implement a stable and long-term funding mechanism for these purposes.